



City of Seattle

Gregory J. Nickels, Mayor
Department of Design, Construction and Land Use
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF DESIGN, CONSTRUCTION AND LAND USE**

Application Number: 2300399
Applicant Name: Gay Westmoreland
Address of Proposal: 3637 Wallingford Avenue North

SUMMARY OF PROPOSED ACTION

Master Use Permit to subdivide one parcel of land into five unit lots. This subdivision of property is only for the purpose of allowing sale or lease of the unit lots. Development standards will be applied to the original parcel and not to each of the new unit lots. The construction of townhouses is being reviewed under separate Project #2207790.

The following approval is required:

Short Subdivision - To divide one parcel of land into five unit lots.
(Seattle Municipal Code Chapter 23.24)

SEPA DETERMINATION: ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS
☐ DNS with conditions
☐ DNS involving non-exempt grading or demolition, or
involving another agency with jurisdiction.

BACKGROUND DATA

Site Description

The proposal site is approximately 6,840 square feet and is located in a Multi-Family Residential Lowrise 2 zone (L-2) on Wallingford Avenue N. between N. 36th Street and N. 37th Street in the

Wallingford neighborhood. Wallingford Avenue N. is a two-lane paved street with curbs, gutters and sidewalks. There are no platted alleys adjacent to the site. The site is currently developed with a triplex structure with onsite surface parking. Site vegetation includes grass and shrubs. There are no mapped or observed City of Seattle designated Environmentally Critical Areas (ECAs) on the site.

Area Development

Zoning and development in the vicinity is mixed between multi-family and single family, but is characterized largely by the Multi-Family Residential Lowrise 2 (L-2) zone immediately south and east of the property along Wallingford Avenue N. Immediately to the west is zoned Single Family 5000 (SF 5000). In addition, there is a small portion to the north and northeast of the site which is designated as Lowrise 2 Residential Commercial (L-2 R/C). In combination, these areas are developed with single family, multi-family and commercial structures.

Proposal Description

The applicant proposes to subdivide one parcel of land into five unit lots. Proposed unit lot sizes are: Unit Lot A) 1,223 square feet, Unit Lot B) 1,445 square feet, Unit Lot C) 1,506 square feet, Unit Lot D) 1,152 square feet; and Unit Lot E) 1,506 square feet. DCLU Project Number 2207790, to demolish the existing triplex, establish use as townhouse, and construct (1) 3-unit townhouse and (1) 2-unit townhouse with attached garage is being reviewed at the time of this report. Vehicle access for the five unit lots is a proposed 16.19' wide ingress/egress easement to Wallingford Avenue N. with driveway and garage access provided in the interior setback between the two buildings.

Public Comments

The public comment period for the proposed project ended on February 19, 2003 and three comment letters were received addressing the following concerns:

- The neighbor does not approve of the construction of the townhouses associated with project #2207790 as it will intrude on existing views.
- The neighborhood has become congested and does not see a dire need for more units.

ANALYSIS - SHORT SUBDIVISION

Pursuant to SMC 23.24.040, no short subdivision shall be approved unless all of the following facts and conditions are found to exist. The findings, which follow, are based upon information provided by the applicant; review of access, drainage and zoning within the Department of Design, Construction and Land Use (DCLU), review from Seattle Public Utilities, Seattle Fire Department and Seattle City Light, and review by the Land Use Planner.

1. *Conformance to the applicable Land Use Code provisions;*

The existing parent lot subject to this subdivision conforms to all development standards of the L-2 zone. The parent lot configuration provides adequate buildable area to meet applicable density, setbacks, lot coverage requirements and other land use code development standards. The unit lots proposed by this subdivision conform to the standards for unit lot subdivisions (SMC 23.24.045) and other code provisions applicable to unit lot subdivisions. Any new development must conform to code requirements at the time of application.

2. *Adequacy of access for vehicles, utilities and fire protection as provided in Section 23.53.005;*

Each of the proposed unit lots will have adequate access for vehicles, utilities and fire protection via a proposed ingress, egress, and utilities easement that provides 16.19-feet of frontage on Wallingford Avenue N. The Seattle Fire Department has reviewed and approved this proposal for adequacy of access for emergency vehicles.

Seattle City Light provides electrical service to the subject property and has indicated an easement is required. The easement identified in the Seattle City Light memorandum, dated February 25, 2003 and "Exhibit A to the City of Seattle Short Subdivision Number 2300399" shall be included on the final plat prior to recording.

3. *Adequacy of water supply, sanitary sewage disposal, and drainage;*

Sanitary Sewer: All new parcels are served by a public combined sewer (PS) in Wallingford Ave N.

Drainage: Stormwater runoff shall be discharged via detention to the PS in Wallingford Ave N. Plan review requirements are made in association with the building permit application. If the project includes greater than 5,000 square feet of new or replaced impervious surface, a comprehensive drainage control plan prepared in accordance with SMC 22.802.015D and 22.802.020 is required.

Seattle Public Utilities reviewed the unit lot subdivision application and approved a Water Availability Certificate, No. 03-0125 on February 10, 2003. All conditions on the certificate must be met prior to receiving water service.

4. *Whether the public use and interests are served by permitting the proposed division of land;*

The proposed unit lot subdivision meets the minimum provisions of the Seattle Land Use Code. The proposal meets all applicable criteria for approval of a short plat as discussed in this analysis and decision. Address signage shall be posted such that addresses for all units are visible from Wallingford Avenue N. An easement or covenant shall be recorded with the final plat to ensure that the address signage is maintained. The public use and interests are served by permitting the proposed division of land.

5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions in environmentally critical areas;*

There is no mapped or observed City of Seattle Environmentally Critical Areas on the proposal site.

6. *Is designed to maximize the retention of existing trees;*

Not applicable, as the development of the subject site is permitted by approval of the associated building permit.

7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single family housing.*

Section 23.24.045 of the Seattle Municipal Code provides that under certain circumstances some types of parcels may be created that do not individually meet the zoning requirements for lot size, setbacks, density, and structure width and depth. These are called unit lot subdivisions and may be permitted as long as the development as a whole meets development standards. However, as a result of this subdivision, development on the individual lots may be non-conforming. To assure that future owners have constructive notice that additional development may be limited due to non-conformities, the following statement shall be required to be included as a note on the final short subdivision: *"The unit lots shown on this site are not separate buildable lots. Additional development on any individual unit lot in this subdivision may be limited as a result of the application of development standards to the parent lot pursuant to applicable provisions of the Seattle Land Use Code, Chapter 23 of the Seattle Municipal Code."*

DECISION - SHORT SUBDIVISION

The proposed Short Subdivision is **CONDITIONALLY GRANTED**.

CONDITIONS - SHORT SUBDIVISION

Prior to Recording

The owner(s) and responsible party(s) shall:

1. Provide final recording forms and fees. Have the final recording documents prepared by or under the supervision of a Washington State licensed land surveyor. Each lot, parcel or tract created by the short subdivision shall be surveyed in the field and all property corners set in conformance with appropriate State statute. The property corners set shall

be identified on the plat and encroachments such as side yard easements, fences or structures shall be shown, as well as all structures and distances from them to the proposed property lines. All existing structures, principal and accessory, shall be shown on the face of the plat and their distances to the proposed property lines dimensioned. A licensed surveyor shall stamp the short plat drawings.

2. The Seattle City Light easement described in the Seattle City Light memorandum dated February 25, 2003 and "Exhibit A to City of Seattle Short Subdivision No. 2300399" shall be included on the final plat prior to recording.
3. Insert the following on the face of the plat: *"The unit lots shown on this site are not separate buildable lots. Additional development on any individual unit lot in this subdivision may be limited as a result of the application of development standards to the parent lot pursuant to applicable provisions of the Seattle Land Use Code, Chapter 23 of the Seattle Municipal Code."*
4. Provide an easement or covenant with the final plat to ensure that address signage for each unit is provided and maintained in a location visible from Wallingford Avenue N.
5. Provide a joint maintenance and responsibility agreement for maintenance and use of shared walls on property lines and all ingress, egress and utility easements.

Signature: (signature on file) Date: April 3, 2003
Bryan C. Stevens, Land Use Planner
Department of Design, Construction and Land Use
Land Use Services

BCS:bg

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